REMARKS

Claims 1, 3-7, 9, 10, 14-33, and 35 were rejected in an Office Action dated January 28, 2008. Claim 1 has been amended. Claims 118 and 119 have been added. Support for the amendments may be found throughout the specification and particularly in the "Detailed Description of the Invention." Applicants respectfully request reconsideration of the present application in view of the following remarks. Applicants believe that the following remarks place this application in condition for allowance.

Rejections under 35 U.S.C. §102

Claims 1, 5-7, 9, 10, 14, 17, 19, 20, 22-31, 33 and 35 are rejected under 35 U.S.C. §102(b) as being suggested to be anticipated by US Patent 5,061,276, hereinafter "Tu et al.", as disclosed in Figures 2 and 8; column 3, lines 4-6 and 35-38; column 4, lines 53-55; column 5, lines 29-33, 46-48, and 55-63; column 7, lines 19-22; column 10, lines 34-38; column 11, lines 7-11; and column 12, lines 1-4 and 20-21.

Applicants respectfully traverse the rejection.

As provided in MPEP 2131, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

At the onset it is respectfully pointed out that claim 1 has been amended, and claims 118 and 119 have been added in an effort to clarify an embodiment of the invention and facilitate prosecution of this application. Applicants claim an article of an essentially porous poly-tetrafluoroethylene tube provided with a covering of one or more layers of porous and essentially polytetrafluoroethylene film. The article does not contain an elastomer.

As admitted by the Examiner in the present office action at page 5, Tu et al. include an elastomeric layer. Tu et al. teach a polytetrafluoroethylene or a polytetrafluoroethylene-elastomer blend and a layer of an elastomer, column 3, lines 8-11. Applicants have amended claim 1 to clarify that the Applicants' article is non-elastomeric and is an essentially porous polytetrafluoroethylene tube provided with a covering of one or more layers of porous and essentially polytetrafluoroethylene film. Thus, without an elastomer or elastomer layer as required by Tu et al. teachings. Applicants' amendment is believed to moot this rejection.

Accordingly, Tu et al. do not anticipate the tube of the present invention, as all elements of the claims at issue are not taught or suggested as required under Section 102. Applicants respectfully request reconsideration and withdrawal of this rejection, and allowance of the rejected claims.

Rejections under 35 U.S.C. §103

Claims 6 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tu et al. in view of Eilentropp (US 4,791,966, hereinafter "Eilentropp"). Further, claims 18 and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tu et al. in view of Hughes et al. (US 4,728,328, hereinafter "Hughes et al."). Claims 3, 4, 15, 16, and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over patent Tu et al. in view of Lee (US 5,123,917, hereinafter "Lee").

Applicants respectfully traverse these rejections.

As stated *supra*, Tu et al. include an elastomeric layer. The present claims make clear that the article of this application is non-elastomeric.

With respect to Eilentropp, it is respectfully pointed out that the teachings in this patent are drawn to a ribbon to be used for wrapping, possibly for insulating purposes, and to be made of a synthetic material which is highly resistive against high temperature. This material is one

which is further able to stretch (column 5, line 35). The ribbon is to be made with polyimid either directly or in a blend (column 5, line 55-58). Further, the ribbon is to include tetrafluoroethylane-polymers which are provided with modifying additions (columns 5-6), and is not essentially porous polytetrafluoroethylene as required by the present invention. One of skill would not expect such an electrical insulator wrap to be useful in a liner for a blood conduit. There is no teaching or suggestion in Eilentropp that such a ribbon could be used in the human body. Further, there is no motivation to modify or change the basic elastic properties of the outer covering of the Tu et al. patent. Eilentropp cannot be deemed to render the present invention obvious in combination with Tu et al.

Neither Hughes et al. nor Lee supply the requisite suggestion or motivation to modify or change the elastic properties of the outer covering of the Tu et al. patent. Thus, neither Hughes et al. nor Lee can be deemed to render the present invention obvious in combination with Tu et al.

Applicants respectfully request reconsideration and withdrawal of this rejection, and allowance of these claims.

Conclusion

For the foregoing reasons, the present invention is neither taught nor suggested by any of the references of record. Accordingly, Applicants respectfully submit that these claims are now in form for allowance. If further questions remain, Applicants request that the Examiner telephone Applicants' undersigned representative before issuing a further Office Action.

Respectfully submitted,

Bridget Sciamanna, 47,333
W. L. Gore & Associates, Inc.
551 Paper Mill Road
P.O. Box 9206
Newark, DE 19714-9206
(302) 738-4880

Date: July 25, 2008